

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

**In re: BRIDGESTONE/FIRESTONE, INC.,) Master File No. IP 00-9373-C-B/S
TIRES PRODUCTS LIABILITY LITIGATION) MDL NO. 1373
_____)
THIS DOCUMENT RELATES TO ALL)
ACTIONS)**

ENTRY FOR MAY 23, 2002

The parties appeared, by counsel, this date for a telephonic discovery conference to discuss issues related to the foreign accident cases, during which the following was resolved:

1. The parties have agreed upon, and the magistrate judge approves, a 45-day extension of all expert related deadlines (that have not yet passed) in the “first wave” foreign accident cases. The deadline for fact discovery in those cases will remain July 1, 2002, with the caveat that the parties may request some additional time for discovery if necessary in specific cases.
2. The parties have not yet conferred regarding an amended schedule for the “second wave” foreign accident cases, but will do so promptly and submit their proposal to the magistrate judge.
3. The defendants are reminded of their obligation promptly to notify the plaintiffs when medical authorizations and requests for medical records are served on Venezuelan doctors, and, by a subsequent notice, promptly to provide the plaintiffs with copies of all documents received from the Venezuelan doctors.
4. The defendants desire to conduct off-camera questioning of the Venezuelan doctors before commencing their formal, videotaped depositions. The plaintiffs object to this practice on several grounds. The magistrate judge determines that

the defendants may conduct very brief off-camera questioning of the doctors, which in most instances should last no longer than twenty minutes, with a limited amount of additional time being permitted when warranted. The magistrate judge further determines that it is the defendants' obligation to conduct the direct examination of the doctors during the videotaped portion of the deposition, inasmuch as the defendants noticed the depositions.

5. Counsel for Ford reports that he has contacted the necessary employees at Ford but has not yet been successful in arranging access to the Ford test vehicles with the Australian shock absorbers for the plaintiffs. By no later than **Wednesday, May 29, 2002**, Ford shall identify the test vehicles at issue and make the appropriate arrangements with plaintiffs' counsel.
6. The plaintiffs report that the Australian shock kits that they were provided by Ford contain non-functional shock absorbers. Ford will either (1) provide plaintiffs with a functional set, by May 29, 2002, if at all possible; or (2) provide plaintiffs with the necessary identifying information so that they may procure another set for themselves by May 29th. Ford shall stipulate that the shock absorbers either provided to or procured by the plaintiffs at Ford's direction are substantially identical to those previously tested by Ford, so that the plaintiffs are able to conduct valid tests of their own.
7. Firestone has had the subject tires from several foreign accident cases for longer than the 45 days permitted by the magistrate judge's previous orders. Firestone shall return to the plaintiffs all of the subject tires from the "first wave" foreign

accident cases by **May 31, 2002**, and shall return the remainder of the foreign

accident tires by **June 17, 2002**.

ENTERED this _____ day of May 2002.

V. Sue Shields
United States Magistrate Judge
Southern District of Indiana

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